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money due from him. Thirty days elapsed. The applicant obtained a deed from the clerk of the court, and the land company, without notice or neglect, lost its only security for the payment of the notes, the maker being insolvent.

It sometimes occurs that the amount secured by a deed of trust is equal to the value of the land conveyed, and sometimes greater. In cases of this kind what would prevent the grantor in the trust deed from allowing the trust estate to become delinquent and from being sold to the Commonwealth? And then, by collusion with a third party, allow notice of an application to purchase to be served on him. He keeps it quiet and does not redeem, and the applicant obtains a deed from the Commonwealth to the property.

The beneficiary under the deed, the real party in interest, gets no notice, and is deprived of his security without the least warning or notice, and without any default on his part.

These instances will serve to point out how the law, as it now stands, may be abused and perverted, and it is to be hoped that it will be amended by the next Assembly so as to prevent injustice being done the citizens of the State.

Bristol, Va.

S. V. FULKERSON.

WHAT IS IT?

Editor Virginia Law Register:

Will some member of the profession say under what head the following paper should be classed? It is an actual copy of a paper issued by a justice of the peace and placed in the hands of the constable, county and names being omitted.

W.

COMMONWEALTH OF VIRGINIA,

.....County, to-wit:

To....., Constable of said County:

I,....., a Justice of said county, command you in the name of the Commonwealth of Virginia to summon.....to appear at.....on the 3rd day of October, 1896, at which time I shall apply for a warrant for his arrest as the trustee of his father,....., deceased, for having obtained from me under false pretenses the sum of \$37.79, as follows, to-wit: \$29.50 on the 2nd day of Feb. 1882, and \$8.29 on the 2nd day of Dec. 1882, promising to pay when in funds of his trusteeship, he then being without such funds, thereby causing me to part with money to the amount of \$37.79, the said....., trustee, then having in his possession \$1000.00 of the personal estate of....., deceased, without authority from the deceased, and has refused and still refuses to pay to the said.....the aforesaid sum of \$37.79, with interest thereon from the date of his order as such trustee.

You are further required to summon.....and.....to appear and give evidence in behalf of the Commonwealth upon hearing the application for such warrant.

Given under my hand this the 31st of August, 1886.

(Signed)

....., J. P.

Summon Justices.....and.....to appear and sit with....., J. P. on that day, Oct. 3rd, 1886.

(Signed)

....., J. P.